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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 BRIAN BALLENTINE, an individual;
11 CATALINO DAZO, an individual; and
12 KELLY PATTERSON, an individual;
13 Plaintiffs,
14 vs.

Case. No.: 2:14-cv-01584-APG-EJY

15 LAS VEGAS METROPOLITAN POLICE
16 DEPARTMENT, in its official capacity;
17 DETECTIVE CHRISTOPHER T. TUCKER,
18 as an individual and in his official capacity as
19 a Las Vegas Metropolitan Police Department
20 Detective; SERGEANT MIKE WALLACE,
21 as an individual and in his official capacity as
22 a Las Vegas Metropolitan Police Department
23 Sergeant; LIEUTENANT JOHN LIBERTY,
24 as an individual and in his official capacity as
25 a Las Vegas Metropolitan Police Department
26 Lieutenant,
27 Defendants.

STIPULATION AND ORDER TO
EXTEND THE DEADLINE TO FILE
THE PRE-TRIAL ORDER
(THIRD REQUEST)

21 Plaintiffs Brian Ballentine, Catalino Dazo, and Kelly Patterson (“Plaintiffs”), by
22 and through their counsel Margaret A. McLetchie, Esq. and Defendant Detective
23 Christopher Tucker, by and through his counsel Craig R. Anderson, Esq., hereby stipulate
24 and agree to extend the current deadline to file a Joint Pretrial Order of July 1, 2022, by
25 twenty-one (21) days, up to and including July 22, 2022.

26 In an April 21, 2022, Order on Mandate (ECF No. 258), this Court set the deadline
27 to submit a Proposed Joint Pretrial Order by May 20, 2022. As reflected in this Court’s May
28 19, 2022, Order (ECF No. 260) the parties stipulated to a three-week extension of this

1 deadline. As further reflected in this Court's June 10, 2022, Order (ECF No. 262) the parties
2 stipulated to another three-week extension of this deadline.

3 The parties are working together on a draft of the Pretrial Order and agree that the
4 requested extension of this deadline is necessary because staff absences due to illness, as
5 well as the caseloads and other responsibilities of counsel for Plaintiffs, have not allowed
6 them sufficient time to prepare the Joint Pretrial Order by the current deadline.

7 It is notable that a trial date has not yet been set in this matter, and as such, the trial
8 will not need to be postponed due to the requested extension. This is the third request for an
9 extension of this deadline since this case was remanded to this Court from the Ninth Circuit
10 Court of Appeals. This extension is being sought in good faith and not for the purpose of
11 delay.

12
13 DATED this 30th day of June, 2022.

DATED this 30th day of June, 2022.

14
15
16 /s/ Margaret A. McLetchie

17 Margaret A. McLetchie, Esq.
18 Nevada Bar No. 10931
19 MCLETCHIE LAW
20 602 South Tenth Street
21 Las Vegas, Nevada 89101
22 *Attorney for Plaintiffs*

/s/ Craig R. Anderson

23 Craig R. Anderson, Esq.
24 Nevada Bar No. 6882
25 MARQUIS AURBACH
26 10001 Park Run Drive
27 Las Vegas, NV 89145
28 *Attorney for Defendant*

ORDER

IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

Dated this 30 day of June, 2022.